

Notice of Allowability	Application No.	Applicant(s)	
	10/648,095	OCHIAI ET AL.	
	Examiner	Art Unit	
	Eric D. Culbreth	3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to 4/29/05.
2. The allowed claim(s) is/are 1,2,7,9 and 10.
3. The drawings filed on _____ are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)
2. <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)
3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>4/13/05</u>
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance
9. <input checked="" type="checkbox"/> Other <u>Approved Copy of Figure 5</u> . |
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- a. In claim 1, line 4 "is" was changed to: --being--, for proper grammar.
 - b. In claim 7, line 4 "is" was changed to: --being--.
 - c. In claim 7, line 9 "attaching said subassembly" was changed to: --said subassembly is attached--, for proper grammar.
 - d. In the paragraph beginning on page 7, line 21 as amended 3/29/05, in line 4 of the paragraph, --is--, was inserted before "arbitrary" (it was in the original paragraph but left out in the 3/29/05 paragraph).
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2. The following changes to the drawings have been approved by the examiner: In the drawing of Figure 5 filed 4/29/05, the lead line for reference numeral 51 will be made to touch the through hole, as shown in red in the enclosed Figure 5 and "REPLACEMENT PAGE" at the top of Figure 5 will be changed to: --REPLACEMENT SHEET--, in order to comply with the first paragraph of the Final Office Action mailed 12/30/04 (the rule requires the term "replacement sheet", not "replacement page". In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric D. Culbreth whose telephone number is 571/272-6668. The examiner can normally be reached on Monday-Thursday, 9:30-7:00 alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571/272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Eric D Culbreth
Primary Examiner
Art Unit 3616

ec





Inventor: Ochiai et al.
Docket No.: 13425.38US01
Title: PASSENGER PROTECTING APPARATUS
Serial No.: 10/648095
Sheet 1 of 1
REPLACEMENT PAGE

Sheet

FIG. 5

Approved.

EC

7/5/05

